

September 11, 1997

The Honorable Albert Gore, Jr.  
Vice President of the United States  
Washington, DC 20501

Dear Mr. Vice President:

In accordance with 5 U.S.C. §552(e), the Defense Nuclear Facilities Safety Board (Board) herein files its report on Freedom of Information Act (FOIA) activities for calendar year 1996.

#### Summary

During 1996, the Board received 19 FOIA requests. Responses to 18 of these requests were granted in full within 10 working days. One response for a large number of documents was partially granted in 51 working days and fully granted in 166 working days. The delay was caused by the need for national security review of many of the documents requested. A few very small deletions were made under Exemption 1 to protect classified information and under Exemption 6 to protect personal privacy. The requester did not appeal these deletions.

The Board did not withhold any documents from requesters other than making the deletions mentioned.

#### Statutory Reporting Requirements

- (1) ***the number of determinations made by such agency not to comply with requests for records made to such agency under subsection (a) and the reasons for such determinations.***

In one case of 19, the Board made very small deletions in a limited number of documents otherwise released, relying on Exemption 1 to protect classified information and Exemption 6 to protect personal privacy.

- (2) ***the number of appeals made by persons under subsection (a)(6), the result of such appeals, and the reason for the action upon each appeal that results in a denial of information.***

None.

- (3) ***the names and titles or positions of each person responsible for the denial of records***

*requested under this section, and the number of instances of participation for each.*

The denying official for withheld portions of documents is Andrew Thibadeau, Information Officer for the Board.

- (4) *the results of each proceeding conducted pursuant to subsection (a)(4)(F), including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken.*

No proceedings were conducted.

- (5) *a copy of every rule made by such agency regarding this section.*

A copy of the Board's FOIA rule is attached to this report.

- (6) *a copy of the fee schedule and the total amount of fees collected by the agency for making records available under this section.*

A copy of the Board's current fee schedule is attached to this report. Fees collected during calendar year 1996 totaled \$9.40.

- (7) *such other information as indicates efforts to administer fully this section.*

The Board has opened an Internet website and has made a large number of documents available via electronic transfer. The Board is working on an amendment to its FOIA regulation to provide for expedited processing of requests. As indicated above, however, the Board has been able to reply promptly to nearly all requests received.

Sincerely,

Andrew Thibadeau  
Information Officer